

working couple that pays a marriage tax penalty can avoid it is to file for divorce. That is just wrong.

Think about it. Fourteen hundred dollars, that is a lot of money back in Illinois and throughout this country. Fourteen hundred dollars is 1 year's tuition in a local community college, 3 to 4 months of day care or child care at a local day care center.

We need to make a bipartisan priority this year the elimination of the marriage tax penalty. In fact we look to President Clinton to join with us to make it a bipartisan priority to eliminate the marriage tax penalty.

PRIVILEGES OF THE HOUSE—DISMISSAL OF CONTEST IN 46TH DISTRICT OF CALIFORNIA

Mr. GEPHARDT. Mr. Speaker, I rise to a question of the privileges of the House, and I send to the desk a privileged resolution (H. Res. 341) pursuant to clause 2 of rule IX and ask for its immediate consideration.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 341

Whereas, Loretta Sanchez was issued a certificate of election as the duly elected Member of Congress from the 46th District of California by the Secretary of State of California and was seated by the U.S. House of Representatives on January 7, 1997; and

Whereas, a notice of contest of election was filed with the Clerk of the House by Mr. Robert Dornan on December 26, 1996; and

Whereas, the task force on the contested election in the 46th District of California met on February 26, 1997 in Washington, DC, on April 18, 1997 in Orange County, California, and on October 24, 1997 in Washington, DC; and

Whereas, Mr. Robert Dornan made unsubstantiated charges of improper voting from a business, rather than a resident address; underage voting; double voting; and large numbers of individuals voting from the same address; and

Whereas, these charges are without merit, as it was found that those voting from the same address included United States Marines residing at a marine barracks and nuns residing at a domicile of nuns; that business addresses were legal residences for the individuals, including the zoo keeper of the Santa Ana Zoo; that duplicate voting was by different individuals and those accused of underage voting were of age; and

Whereas, the Committee on House Oversight has issued unprecedented subpoenas directing the Immigration and Naturalization Service to compare its records with Orange County voter registration records, the first time in any election in the history of the United States that the INS has been asked by Congress to verify the citizenship of voters; and

Whereas, the INS has complied with the committee's request and, at the committee's request, for over eight months, has engaged in a manual check of its paper files and has provided worksheets containing supplemental information on that manual check to the Committee on House Oversight; and

Whereas, the committee's investigation has extended far beyond a review of those who actually voted in this contested election and;

Whereas, the district attorney of Orange County has ended his investigation and an

Orange County grand jury has refused to return any indictments and allegations of a conspiracy to engage in voter fraud have been proven groundless; and

Whereas, the Committee on House Oversight has received a report from the secretary of State of California, in response to the committee's request, which yielded no new information; and

Whereas, the committee's requests have caused this contest to be needlessly extended for four additional months while the secretary of State of California provided no new information regarding the citizenship status of registrants or voters; and

Whereas, the task force on the contested election in the 46th district of California and the committee have been reviewing these materials and have all the information they need regarding who voted in the 46th district and all the information required to make judgments concerning those votes; and

Whereas, the Committee on House Oversight has after 13 months of review and investigation failed to present any credible evidence demonstrating that Congresswoman Sanchez did not win this election and continues to pursue never ending and groundless areas of investigation; and

Whereas, contestant Robert Dornan has not shown or provided credible evidence that the outcome of the election is other than Congresswoman Sanchez's election to the Congress; and

Whereas, the Committee on House Oversight should complete its review of this matter and bring this contest to an end; and now, therefore, be it

Resolved, That the election contest concerning the 46th district of California is dismissed.

The SPEAKER pro tempore (Mr. NUSSLE). The resolution constitutes a question of the privileges of the House under rule IX.

MOTION TO TABLE OFFERED BY MR. SOLOMON

Mr. SOLOMON. Mr. Speaker, I move to table the resolution.

PARLIAMENTARY INQUIRY

Mr. HOYER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HOYER. Mr. Speaker, am I correct from a parliamentary standpoint under the rules this resolution would be debatable for 1 hour, if not tabled?

The SPEAKER pro tempore. That is correct.

Mr. HOYER. I thank the Chair. We would like to do that.

The SPEAKER pro tempore. The question is on the motion to table offered by the gentleman from New York (Mr. SOLOMON).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. SOLOMON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 214, nays 189, not voting 27, as follows:

[Roll No. 2]

YEAS—214

Aderholt	Gilchrest	Parker
Archer	Gillmor	Paul
Armey	Gilman	Paxon
Bachus	Goodlatte	Pease
Baker	Goodling	Peterson (PA)
Ballenger	Goss	Petri
Barr	Graham	Pickering
Barrett (NE)	Granger	Pitts
Bartlett	Greenwood	Pombo
Barton	Gutknecht	Porter
Bass	Hansen	Portman
Bateman	Hastert	Pryce (OH)
Bereuter	Hastings (WA)	Quinn
Bilbray	Hayworth	Radanovich
Bilirakis	Hefley	Ramstad
Bliley	Herger	Redmond
Blunt	Hill	Regula
Boehlert	Hilleary	Riggs
Boehner	Hobson	Riley
Bonilla	Hoekstra	Rogan
Brady	Horn	Rogers
Bryant	Hostettler	Rohrabacher
Bunning	Houghton	Roukema
Burr	Hulshof	Royce
Burton	Hunter	Ryun
Buyer	Hyde	Salmon
Callahan	Inglis	Sanford
Calvert	Istook	Saxton
Camp	Jenkins	Schaefer, Dan
Campbell	Johnson, Sam	Schaffer, Bob
Canady	Jones	Sensenbrenner
Cannon	Kasich	Sessions
Castle	Kelly	Shadegg
Chabot	Kim	Shaw
Chambliss	King (NY)	Shays
Chenoweth	Kingston	Shimkus
Christensen	Klug	Shuster
Coble	Knollenberg	Skeen
Coburn	Kolbe	Smith (MI)
Collins	LaHood	Smith (NJ)
Combest	Largent	Smith (TX)
Cook	Latham	Smith, Linda
Cooksey	LaTourette	Snowbarger
Cox	Lazio	Solomon
Crane	Leach	Souder
Crapo	Lewis (CA)	Spence
Cubin	Lewis (KY)	Stearns
Cunningham	Linder	Stump
Davis (VA)	Livingston	Sununu
DeLay	LoBiondo	Talent
Diaz-Balart	Lucas	Tauzin
Dickey	Manzullo	Taylor (NC)
Doolittle	McCollum	Thomas
Dreier	McCrery	Thornberry
Duncan	McHugh	Thune
Dunn	McInnis	Tiahrt
Ehlers	McIntosh	Trafficant
Ehrlich	McKeon	Upton
Emerson	Metcalfe	Walsh
English	Mica	Wamp
Ensign	Miller (FL)	Watkins
Everett	Moran (KS)	Watts (OK)
Fawell	Myrick	Weldon (FL)
Foley	Nethercutt	Weldon (PA)
Fossella	Neumann	Weller
Fowler	Ney	White
Fox	Northup	Whitfield
Franks (NJ)	Norwood	Wicker
Frelinghuysen	Nussle	Wolf
Ganske	Oxley	Young (FL)
Gekas	Packard	
Gibbons	Pappas	

NAYS—189

Abercrombie	Clay	Doyle
Ackerman	Clayton	Edwards
Allen	Clement	Engel
Andrews	Clyburn	Eshoo
Baesler	Condit	Etheridge
Baldacci	Conyers	Evans
Barcia	Costello	Farr
Barrett (WI)	Coyne	Fattah
Bentsen	Cramer	Fazio
Berry	Cummings	Filner
Bishop	Danner	Forbes
Blagojevich	Davis (FL)	Ford
Blumenauer	Davis (IL)	Frank (MA)
Bonior	DeFazio	Frost
Boswell	Delahunt	Furse
Boucher	DeLauro	Gejdenson
Boyd	Dellums	Gephardt
Brown (CA)	Deutsch	Goode
Brown (FL)	Dicks	Gordon
Brown (OH)	Dingell	Green
Cardin	Dixon	Gutierrez
Carson	Doggett	Hall (OH)

Hall (TX)	McDermott	Sabo
Hamilton	McGovern	Sanchez
Harman	McHale	Sanders
Hastings (FL)	McIntyre	Sandlin
Hilliard	McKinney	Sawyer
Hinchey	McNulty	Schumer
Hinojosa	Meehan	Scott
Holden	Meek	Serrano
Hooley	Menendez	Sherman
Hoyer	Millender-	Sisisky
Jackson (IL)	McDonald	Skaggs
Jackson-Lee	Miller (CA)	Skelton
(TX)	Minge	Slaughter
Jefferson	Mink	Smith, Adam
John	Moakley	Snyder
Johnson (WI)	Moran (VA)	Spratt
Johnson, E. B.	Murtha	Stabenow
Kanjorski	Nadler	Stark
Kaptur	Neal	Stenholm
Kennedy (MA)	Oberstar	Stokes
Kennedy (RI)	Obey	Strickland
Kildee	Olver	Stupak
Kilpatrick	Owens	Tauscher
Klecza	Pallone	Taylor (MS)
Klink	Pascrell	Thompson
Kucinich	Pastor	Thurman
LaFalce	Payne	Tierney
Lampson	Pelosi	Torres
Lantos	Peterson (MN)	Towns
Levin	Pickett	Turner
Lewis (GA)	Pomeroy	Velazquez
Lofgren	Poshard	Vento
Lowey	Price (NC)	Visclosky
Maloney (CT)	Rahall	Waters
Maloney (NY)	Rangel	Watt (NC)
Manton	Reyes	Waxman
Markey	Rivers	Wexler
Martinez	Rodriguez	Weygand
Mascara	Roemer	Woolsey
Matsui	Rothman	Wynn
McCarthy (MO)	Roybal-Allard	Yates
McCarthy (NY)	Rush	

NOT VOTING—27

Becerra	Hefner	Morella
Berman	Hutchinson	Ortiz
Borski	Johnson (CT)	Ros-Lehtinen
Deal	Kennelly	Scarborough
DeGette	Kind (WI)	Schiff
Dooley	Lipinski	Smith (OR)
Ewing	Luther	Tanner
Galleghy	McDade	Wise
Gonzalez	Mollohan	Young (AK)

□ 1404

Mr. METCALF and Mr. FOLEY changed their vote from "nay" to "yea".

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON COMMERCE TO FILE SUPPLEMENTAL REPORT ON H.R. 10, FINANCIAL SERVICES ACT OF 1997

Mr. OXLEY. Mr. Speaker, I ask unanimous consent to file on behalf of the Committee on Commerce a supplemental report to accompany the bill (H.R. 10) the Financial Services Act of 1997.

The SPEAKER pro tempore (Mr. SNOWBARGER). Is there objection to the request of the gentleman from Ohio?

There was no objection.

ELECTION OF MEMBER TO COMMITTEE ON THE BUDGET

Mr. FAZIO of California. Mr. Speaker, I offer a resolution (H.Res. 342) and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the following named Member be, and is hereby, elected to the following standing committee of the House of Representatives:

To the Committee on Budget, David Price of North Carolina.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2174

Mr. BURR of North Carolina. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 2174. It was never my intent to become a cosponsor of this legislation, and I believe a simple clerical error caused my name to be attached.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

LEGISLATIVE PROGRAM

(Mr. BONIOR asked and was given permission to address the House for 1 minute.)

Mr. BONIOR. Mr. Speaker, I take this time for the purpose of inquiring about the schedule for today and the remainder of the week and next week, and I yield to the distinguish gentleman from New York (Mr. SOLOMON), chairman of the Committee on Rules.

Mr. SOLOMON. Mr. Speaker, I thank the gentleman from Michigan (Mr. BONIOR) for yielding; and on behalf of the gentleman from Texas (Mr. ARMEY), the Majority Leader, let me just say that I am pleased to announce that we have finished legislative business for this week.

The House will reconvene on Tuesday, February 3rd, at 12:30 for morning hour and 2:00 p.m. for legislative business. On Tuesday, the House will consider a number of bills under suspension of the rules, a list of which will be distributed to Members' offices. Members should note that we do not expect any recorded votes on the suspensions before 5:00 p.m. on Tuesday, February 3rd.

On Wednesday and Thursday, the House will meet at 10:00 a.m. to consider the following legislation: H.R. 2625, the Ronald Reagan National Airport; H.R. 2846, a bill to prohibit spending Federal education funds on national testing; a resolution concerning attorneys' fees, costs, and sanctions payable by the White House Health Care Task Force; a resolution expressing the sense of Congress regarding the situation in Iraq; and a privileged motion to consider H.R. 2631, which is consideration of the President's veto of the act disapproving his cancellations on the Military Construction Appropriations Act.

Mr. Speaker, we hope to conclude legislative business for the week by 6

p.m. on Thursday, February 5th. There will be no votes on Friday, February 6.

Mr. BONIOR. Mr. Speaker, I thank my colleague, the gentleman from New York (Mr. SOLOMON), for apprising us of the schedule.

My friend from New York probably noticed that I have a bad voice this afternoon. I would just tell my friend that, as a member of Galludet's board, the University of Galludet, I learned sign language. And while I do not believe we can communicate with each other, I just thought I would share with my friend from New York two signs that I have learned over the years.

This one means "not my problem," just flicking your hands like this. And this one, you have got to take your glasses off and go high up on your nose, means "boring." So I am sure the gentleman from New York (Mr. SOLOMON), the chairman of the Committee on Rules, can avail himself of those two signs at the appropriate time in the coming year.

Let me also say to my friend from New York that we are curious on our side of the aisle about not this coming Wednesday but the Wednesday after that. As my colleague knows, both our caucus and conference have conferences scheduled for Monday and Tuesday. Can the gentleman tell us when on Wednesday we can expect votes that week, what time on Wednesday?

Mr. SOLOMON. Mr. Speaker, if the gentleman would yield, not before 5 p.m. on that Wednesday. That would accommodate both caucuses.

Mr. BONIOR. Mr. Speaker, reclaiming my time, I thank my friend for accommodating us.

The final point I would leave the gentleman from New York with is, I see we do not have the list of bills that will be on suspension next week. We are hopeful that we will maintain the cordiality we were able to put together at the end of the session last year and the Democrats will get a reasonable fair share of suspension bills on the calendar.

Having said that, I thank my friend, the gentleman from New York (Mr. SOLOMON), and I wish him a good weekend.

□ 1415

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. SNOWBARGER). Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

TRIBUTE TO THE LATE HONORABLE EDNA F. KELLY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. TOWNS) is recognized for 5 minutes.

Mr. TOWNS. Mr. Speaker, I rise today, along with my colleagues, to